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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,851	06/30/2000	Kimberly Ellmore	P/2167-177	1978
7590	11/10/2004		EXAMINER	
Steven I Weisburd Esq Dickstein Shapiro Morin & Oshinsky LLP 1177 Avenue of the Americas 41st Floor New York, NY 10036-2714			NGUYEN, MINH DIEU T	
			ART UNIT	PAPER NUMBER
			2137	
			DATE MAILED: 11/10/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

SF

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/608,851	ELLMORE, KIMBERLY	
	<b>Examiner</b>	<b>Art Unit</b>	
	Minh Dieu Nguyen	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 15 July 2004.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-34 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-34 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the amendment filed July 15, 2004 that amended claim 1.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specifications are not clear on how the user being provided with direct access to each of the plurality of financial accounts.

### ***Specification***

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: direct access by users to each of the plurality of financial accounts.

***Response to Arguments***

5. Applicant's arguments filed July 15, 2004 have been fully considered but they are not persuasive.
6. In response to applicant's argument that the present application claims benefit of U.S. provisional application 60/142118 filed July 2, 1999, the examiner intends to rely upon Starr's provisional application 60/107731 filed on November 9, 1998, wherein Starr discloses a method for controlling access to a financial services by receiving a request from a user to sign up to the financial services, determining if the user is a customer having at least one financial account, allowing user to create a user identification and password, if the user is a customer: prompting user for authentication information, receiving the authentication information from the user, displaying a summary of at least one financial account to the user (Fig. 2 and page 3 specifications). Starr also discloses limitations in claims 22-23 and 27-28 (page 1), claim 24 (Fig. 1, element 18) and claim 25 (Fig. 2, Flash Report element).

Based on Fig. 1 and specifications on page 10 of the present application, the user is provided with direct access to each account as in amended claim 1, the examiner maintain Clark reference in which he discloses how global interface device (GID) provides users with limited amount of information (col. 5, lines 16-20), but if users need more, the GID acts as a retrieval system that pulls up more information (col. 5, lines 5-12). The GID in Clark reads on the application server in the present application, Figure 1 in Clark shows similar structure to Figure 1 of the present application which allow users having direct access to financial accounts.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 21-25 and 27-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Starr, US Patent 6,606,606.

a) **As to claim 21**, Starr discloses a method for controlling access to a financial services comprising the step of:

- receiving a request from a user to sign up to the financial services (col. 10, lines 12-16)
- determining if the user is a customer having at least one financial account (col. 10, lines 16-20)
- allowing the user to create a user identification and password regardless of whether the user is a customer (col. 10, lines 20-30)
- if the user is a customer:
  - prompting user for authentication information, receiving the authentication information from the user, displaying a summary of at least one financial account to the user (col. 10, lines 30-51).

b) **As to claim 22,** Starr discloses the step of prompting user to select which of the plurality of financial accounts the user desires to access online, receiving the user's selection of financial accounts and providing the user with access to only the selected financial accounts (col. 2, lines 57-63).

c) **As to claim 23,** Starr discloses that after signing on process to the system, user could access to variety of financial applications: payroll services, retirement plan services, healthcare services, etc. and the access level to each of the financial accounts is also determined (Figure 4 and col. 7, lines 21-56).

d) **As to claim 24,** Starr discloses the plurality of financial accounts reside on separate systems, the step of providing the user with the requested access further comprises providing the user with access to the separate systems (Figure 1, element 18).

e) **As to claim 25,** Starr discloses the step of providing the user with summary information with respect to the plurality of financial accounts (Figure 5, Flash report element).

f) **As to claims 27 and 28,** Starr discloses the user represents a business, as well as an individual (col. 1, lines 24-26).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. **Claims 1-7 and 14-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al., US Patent 5,710,889 in view of Lee et al., US Patent 5,742,683.

a) **As to claim 1**, Clark discloses an electronic delivery system that seamlessly interlinks many existing access services to provide comprehensive financial transaction services from single or multiple customer locations. The method for accessing multiple financial accounts, according to Clark, comprises the steps of:

- receiving a request from a user to access the plurality of financial accounts (Abstract, lines 5-10)
- prompting user for user identification and receiving user identification from user (Figure 3)
- prompting user for password and receiving password from user (Figure 3)
- providing user with the direct requested access to financial accounts (Figure 1)

Clark fails to disclose the step of prompting user for ownership verification information related to at least one of the plurality of financial accounts.

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Lee discloses a system and method of managing multiple users of an open metering system. Lee teaches another password is required to access service mode from normal mode (Figure 5 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the step of obtaining another piece of information from user besides the normal verification for further information accessing, as Lee teaches, in the system of Clark so as to provide a more secure access to information and a convenient, single sign-on procedure for accessing financial information.

b) **As to claims 2-5 and 15-16,** Clark discloses that after signing on process to the system, user could access to variety of business applications (Figure 15): cash management, securities, investment portfolio, etc. Accessing different features of the system is controlled by an entitlement subsystem (Figure 1, element 16; col. 5, lines 13-20). The access control application can set user profiles, restricted passwords, and overall system configuration parameters (col. 25, line 64 – col. 26, line 6).

c) **As to claim 6,** Clark discloses the plurality of financial accounts reside on separate systems, the step of providing the user with the requested access further comprises providing the user with access to the separate systems (Figure 1, elements 14(1)-14(n)).

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- d) **As to claim 7**, Clark discloses the step of providing the user with summary information with respect to the plurality of financial accounts (Figure 28).
- e) **As to claims 14 and 18-19**, Clark discloses the step of prompting user to select which of the plurality of financial accounts the user desires to access online, receiving the user's selection of financial accounts and providing the user with access to only the selected financial accounts (Figure 14, 15, 18, 19).
- f) **As to claim 17**, Clark discloses a variety of business applications (Figure 15).
- g) **As to claim 20**, Clark discloses the step of displaying the plurality of financial accounts to the user in response to the user identification received from the user (Figure 14, step of preparing menu and icons depending on configuration parameters).

11. **Claims 8-9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al., US Patent 5,710,889 in view of Lee et al., US Patent 5,742,683 as applied to claims 1-7 above, and further in view of Starr, US Patent 6,606,606.

Clark and Lee teach the claimed subject matters except for creating and establishing a user identification and password online.

Starr discloses the step of prompting the user to create and establish a user identification and password online (Figure 5, col. 10, lines 13-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the step of creating and establishing a user identification and password online, as Starr teaches, in the system of Clark and Lee, so as to provide a timely access to information.

12. **Claims 10-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al., US Patent 5,710,889 in view of Lee et al., US Patent 5,742,683 as applied to claims 1-7, and further in view of Moy, US Patent 5,425,102.

Clark and Lee fail to disclose the step of prompting user to create original answers to challenge questions and the step of prompting user to create cue questions that providing the user with a cue as to the user's password.

Moy discloses a computer security apparatus simplified the administration of passwords by providing user with password hints if the user fails to recall the password (col. 4, line 65 – col. 5, line 53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of password hints, as Moy teaches, in the system of Clark and Lee to enable users to use password protection without the fear that the password will not be recalled.

13. **Claim 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over Starr, US Patent 6,606,606 in view of Moy, US Patent 5,425,102.

Starr fails to disclose the step of prompting user to create original answers to challenge questions and the step of prompting user to create cue questions that providing the user with a cue as to the user's password.

Moy discloses a computer security apparatus simplified the administration of passwords by providing user with password hints if the user fails to recall the password (col. 4, line 65 – col. 5, line 53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of password hints, as Moy teaches, in the system of Starr, to enable users to use password protection without the fear that the password will not be recalled.

14. **Claims 29-34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Starr, US Patent 6,606,606 in view of Lee et al., US Patent 5,742,683.

a) **As to claim 29**, Starr discloses a system and method for performing integrated financial transaction. The method for accessing multiple financial accounts, according to Starr, comprises the steps of:

- receiving a request from a user to access the plurality of financial accounts (Abstract)

- prompting user for user identification and receiving user identification from user (Figure 3)
- prompting user for password and receiving password from user (Figure 3)

Starr fails to disclose the step of prompting user for ownership verification information related to at least one of the plurality of financial accounts.

Lee discloses a system and method of managing multiple users of an open metering system. Lee teaches another password is required to access service mode from normal mode (Figure 5 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the step of obtaining another piece of information from user besides the normal verification for further information accessing, as Lee teaches, in the system of Starr so as to provide a more secure access to information and a convenient, single signon procedure for accessing financial information.

b) **As to claim 30,** Starr discloses a system comprising at least a second financial system coupled to the application server (Figure 1, element 18), at least one financial system and second financial system requiring different ownership verification information (Figure 4), the application server requesting and receiving from the user the most stringent ownership verification information (col. 7, lines 5-50).

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c) **As to claim 31,** Starr discloses a system comprising a database coupled to the application server, the database containing the ownership verification information for the at least one financial system and the second financial system (Figure 1, element 16).

d) **As to claims 32-34,** Starr discloses a system further comprising a firewall coupled between the network and the interface, between the interface server and the application server and the network is the Internet (col. 4, line 49 – col. 7, line 4; Figure 1 and 2).

### ***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Minh Dieu Nguyen  
Examiner  
Art Unit 2137

mdn  
11/1/04

*Andrew Caldwell*  
*Andrew Caldwell*